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Date: 06-02-06Marianne Boland
Marianne Boland

In Re Application of:

Sherwood

Confirmation No.: 8201

Group Art Unit: 2154

Serial No.: 09/921,659

Examiner: Patel, A.

Filed: August 6, 2001

Docket No.: 190252-1660

For: System and Method for Selective Application of E-Mail Delivery Options

Issue Fee Transmittal

Fee Transmittal

Credit Card Payment Form in the amount of \$1,400

Comments of Reasons for Allowance

Total Pages Transmitted (including cover sheet) - 6

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JUN 02 2006

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Marianne Boland (Depositor's name)
Marianne Boland (Signature)
06-02-06 (Date)

38823 790 05/05/2006
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/
BELLSOUTH I.P. CORP
100 GALLERIA PARKWAY
SUITE 1750
ATLANTA, GA 30339

06/05/2006 TL0222 00000004 09921659

01 FC:1501

1400.00 OP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/921,659

08/06/2001

Amy L. Sherwood

BS01-001

8201

TITLE OF INVENTION: SYSTEM AND METHOD FOR SELECTIVE APPLICATION OF EMAIL DELIVERY OPTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1400

\$0

\$1400

08/07/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
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PATE, ASHOKKUMAR B

2154

709-206000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev. 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Thomas, Kayden,

Horstemeyer &

Risley, LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Bellsouth Intellectual
Property Corporation

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Wilmington, DE

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

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5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Jeffrey R. Kuester

Date

6-2-06

Typed or printed name

Registration No.

34,367

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PTO/SB/17 (12-04)

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Effective on 12/08/2004
Fees Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2006**Complete if Known**

Application Number	09/921,659
Filing Date	August 8, 2001
First Named Inventor	Sherwood
Examiner Name	Patel, A.
Art Unit	2154
Attorney Docket No.	190252-1660

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$11,400.00)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☐ Deposit Account Deposit Account Number: 20-0778 Deposit Account Name: Thomas, Kayden, Horstemeyer Risley, L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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III. FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	Filing Fees		Search Fees		Examination Fees		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

2. EXCESSIVE CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
10 or HP =		0	0	
HP = highest number of total claims paid for, if greater than 20				

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3 or HP =		0	0
HP = highest number of total claims paid for, if greater than 20			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 USC 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
100 =		(round up to a whole number) x	0 x	0

4. OTHER FEES (\$)

Non-English Specification, \$130 fee (no small entity discount)	Fee Paid (\$)
Other: Issue Fee	0
	\$1,400.00

SUBMITTED BYTyped or Printed Name
Signature

Jeffrey R. Kuester

Registration No. 34,367

Telephone Number

770-933-9500

Date

6-2-06

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JUN 02 2006

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Sherwood

Serial No.: 09/921,659

Filed: August 6, 2001

Confirmation No.: 8201

Group Art Unit: 2154

Examiner: Patel, A.

Docket No.: 190252-1660

For: System and Method for Selective Application of E-Mail Delivery Options

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner has made statements in the Statement of Reasons for Allowance that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to ensure proper interpretation of the claims and history.

While Applicant agrees with the Examiner that the stated reasons for allowance of the claims are indeed valid grounds for allowance, Applicant wishes to clarify for the record that the stated reasons may be viewed as an oversimplification of the issues. Along these lines, first, Applicant does *not* admit that the stated reasons for allowance are the only reasons for allowance, and Applicant contends that the allowance and scope of these claims are in fact *not* limited to the Examiner's stated reasons for allowance. Second, each allowed claim has a different combination of elements, which distinguish each claim from the references of record, and consequently, each claim should be analyzed separately for infringement and validity. 35 U.S.C.

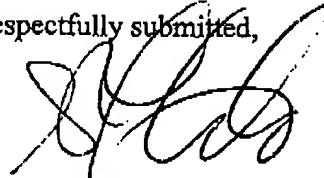
Serial No.: 09/921,659

Art Unit: 8201

288. In other words, all of the claims do not stand or fall together, especially and particularly based upon the stated reasons for allowance.

If the Examiner disagrees with any of Applicant's comments herein, Applicant respectfully requests that the Examiner further clarify the record. Otherwise, it should be assumed that the above discussion is an accurate characterization of the file history and interpretation of the claims.

Respectfully submitted,



Jeffrey R. Kuester Reg. No. 34,367
Attorney for Applicant

Date: 6-2-06

Customer No.: 38823

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